

10/083,245  
Amendment and Response  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Darrow et al. Docket No.: 37737-003  
Serial Number: 10/083,245 Examiner: Truong, T.  
Filing Date: February 25, 2002 Art Unit: 1625  
Title: Certain alkylene diamine-substituted pyrazolo[1,5-A]-1,3,5-triazines

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Terminal Disclaimer

The co-owners, Pfizer, Inc. and Neurogen Corporation, of the instant application assigned by the inventors James Darrow, Stephane De Lombaert, Charles Blum, Jennifer Tran, Mark Giangiordano, David Griffith, and Philip Carpino,

hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of patent number 6,372,743 B1 and patent number 6,476,038 B1. The co-owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned, such that the patents are exclusively licensed to Pfizer, Inc. and co-owned by assignees Pfizer, Inc. and Neurogen Corporation. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the co-owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of the prior application or any patent granted on the prior application, as presently shortened by any terminal disclaimer, in the event that either any patent granted on the prior application later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent

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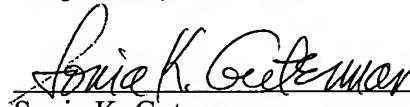
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jurisdiction, is statutorily disclaimed in whole or terminally disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

The undersigned Applicant's representative files this Terminal Disclaimer under 37 C.F.R. §1.34(a). Check number 30833 in the amount of \$130.00 for the terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included. Applicants believe no additional fee is due, however the Commissioner is hereby authorized to charge any additional fees or make any credits to Deposit Account No. 503344, Ref. No. 37737-003.

Respectfully submitted,

  
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